

### **Remarks**

Reconsideration is respectfully requested. Entry of the amendment is respectfully requested. No new matter has been added.

### **Claim Status**

Claims 2-21 are pending in the Application.

Claims 2-21 were rejected under 35 U.S.C. § 112, second paragraph.

Claims 2-6 and 16-21 were rejected under 35 U.S.C. § 102(a) as anticipated by Weigel (US 5,234,209).

Claim 7 was rejected as obvious pursuant to 35 U.S.C. § 103(a) over Weigel in view of Ebihara (US 4,787,617).

Claim 8 was rejected as obvious pursuant to 35 U.S.C. § 103(a) over Weigel in view of Adelberger (US 4,462,509).

Claims 9-11 were rejected as obvious pursuant to 35 U.S.C. § 103(a) over Weigel in view of Ebihara and Adelberger and Meyer (US 5,797,599).

Claims 12-15 were indicated allowable over the prior art.

### **The 35 U.S.C. § 112, second paragraph, rejections**

Applicants respectfully submit that the Office was correct in corresponding the “one actuator lever” as the “one lever”, especially when there was not any other previously mentioned lever. Nevertheless, the claims have been modified to further reflect the lever correspondence.

Applicants respectfully submit that a showing of claimed features in drawings is an issue under 37 C.F.R. § 1.83(a) (e.g., an objection to the drawings). A drawing objection issue is not appropriate for 35 U.S.C. § 112, second paragraph. Thus, the drawing-based rejections are legally improper.

Applicants' disclosure provides support for either the arm or the lever having the angled slot, and the other having the pin (e.g., page 58, lines 7-9). Applicants' invention is not limited to Figure 49.

Claims 7 and 12 did not mention "angled slot" or "pin". Thus, the rejection thereof based on said language is improper.

Applicants respectfully submit that the claim language is not indefinite. Therefore, it is respectfully requested that the 35 U.S.C. § 112, second paragraph, rejections be withdrawn. Therewith, claims 12-15 are allowable.

#### **The 35 U.S.C. § 102(a) Rejections**

For reasons of brevity, Applicant has not necessarily presented all reasons as to why Weigel does not anticipate claim 2. Applicants reserve the right to later present further reasons.

The Office alleges that Weigel teaches a presenter (10). The Applicants respectfully disagree. Weigel does not teach a presenter. One having ordinary skill in the art would understand that Weigel's currency dispenser unit (10) does not constitute a presenter.

Weigel has several currency dispenser units (10), each including a dispenser module (12). Each dispenser module (12) includes a loaded currency container (14) (e.g., col. 4, lines 53-60). The currency containers (14) are internally located within an automatic money dispensing

machine. The alleged presenter gate (42) is actually part of a currency container (14) (col. 4, line 60; col. 5, lines 30-35). Weigel does not anticipate the claims.

Weigel is also non analogous art. Adelberger teaches a conventional dispense path that a currency note takes from a currency container (stack #1 and #2) like Weigel's, to a transport mechanism (50), and then to a distant presenter (78) for presentation to a customer (e.g., Figure 1; col. 3, lines 8-39; col. 4, lines 8-15). Adelberger provides additional evidence that Weigel's currency dispenser unit (10) does not constitute a presenter. It follows that Weigel cannot anticipate the claims.

## **Claim 2**

Weigel does not teach a presenter that can “receive currency notes taken *from*” a currency container. The alleged presenter in Weigel includes the currency container (14). Thus, the alleged presenter in Weigel is not distinguished from a currency container. Hence, Weigel cannot anticipate claim 2.

Weigel also does not teach a presenter having a gate that permits a currency note stack “to pass through and out” the presenter housing's outlet. Weigel conventionally teaches that currency notes are moved individually one at a time (not as a stack) from the currency container (14) (col. 5, lines 4-6). Even in the case of picked note overlap, any extra note is conventionally stripped and prevented from leaving the currency container (col. 5, lines 10-14). Weigel does not allow a currency note *stack* “to pass through and out” the currency container (14). Thus, Weigel's currency container (14) cannot constitute the recited presenter. Weigel cannot anticipate claim 2.

Weigel further does not teach a presenter gate that moves *upward* during opening.

Conversely, the alleged gate (42) (i.e., the folding flap of the currency container 14) in Weigel moves downward during its opening (e.g., col. 6, lines 45-49). Weigel cannot anticipate claim 2.

### **Claim 18**

Applicants' remarks in support of the patentability of claim 2 are incorporated herein by reference. Weigel does not teach the recited relationship between a lever slot and a cam arm pin, where actuation of the lever causes the pin to slide upward in and along the slot. In Weigel, the end wall of the alleged slot (70) abuts and pulls the alleged pin (68) upward as the rocker (72) rotates (to achieve the Figure 6 position). When the rocker (72) reverses direction then the alleged pin (68) slides down the alleged slot (70) by gravity (to achieve the Figure 5 broken line position) (e.g., col. 6, lines 43-49). Where does the alleged pin (68) slide upward in and along the alleged slot (70)? Weigel cannot anticipate claim 18.

Weigel also does not teach the recited relationship between the gate and pin, where the gate moves in an opening direction as the pin moves upward. Conversely, as the alleged pin (68) in Weigel is pulled upward, the alleged gate (42) moves to close (instead of open). Weigel cannot anticipate claim 18.

### **The 35 U.S.C. § 103(a) Rejections**

Applicants' remarks in support of the patentability of claim 2 are incorporated herein by reference.

Applicants respectfully submit that the references, taken alone or in combination, do not teach or suggest the specifically recited features and relationships.

### **Claim 7**

Claim 7 includes original claim 8. Claim 7 recites that the presenter includes a plurality of belts. The relied upon structure (mechanically engaging levers) of the alleged presenter (10) in Weigel does not include or need belts. Nor would it have been obvious to have provided the structure with belts. Nor does the Office explain how the structure could be modified to use belts. The alleged modification to Weigel (if somehow possible, which it is not) would destroy the utility and advantage of Weigel's specifically disclosed lever structure. An obviousness rejection cannot be based on modifying a reference if making the modification results in destroying the functional advantage disclosed in the reference. The Office has not established a *prima facie* case of obviousness.

Claim 7 further recites that the presenter includes a roller shaft having plural rollers thereon; the roller shaft is located adjacent the outlet; each roller includes a center portion located between tapering portions; and each center portion supports a respective belt thereon.

Where does Weigel have any roller with a belt thereon? The alleged "plural rollers" (13) in Ebihara is actually a single accumulating wheel. Nor does the wheel (13) support a belt. Nor is the wheel (13) located adjacent a presenter housing outlet. Rather, the wheel (13) is for "accumulating", not presenting. Adelberger likewise does not have tapered rollers with a belt supported at each roller center portion. The Office has not established a *prima facie* case of obviousness.

Thus, it would not have been obvious to one having ordinary skill in the art to have modified Weigel with the teaching of Ebihara (or Adelberger) to have produced the recited apparatus. Nor would the alleged modification to Weigel have resulted in the recited invention.

### **The Dependent Claims**

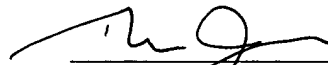
Each of the dependent claims depends directly or indirectly from an independent claim. Thus, it is asserted that the dependent claims are allowable on at least the same basis. Furthermore, each of the dependent claims additionally recites specific features and relationships that patentably distinguish the claimed invention over the applied art. None of the references, taken alone or in combination, discloses or suggests the features and relationships that are specifically recited in the dependent claims. Thus, it is respectfully submitted that the dependent claims are further allowable due to the recitation of such additional features and relationships.

### **Conclusion**

Applicants respectfully submit that this application is in condition for allowance.

The undersigned is willing to discuss any aspect of the Application by telephone at the Office's convenience.

Respectfully submitted,



Ralph E. Jocke      Reg. No. 31,029  
WALKER & JOCKE  
231 South Broadway  
Medina, Ohio 44256  
(330) 721-0000